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Court Backs CIA on Censorship

A U.S. District Court judge yesterday denied a claim by the Center for National Security Studies that the Central Intelligence Agency should be required to divulge the material it censored from a book published in 1974 by two former CIA agents.

The book, "The CIA and the Cult of Intelligence," by John Marks and Victor L. Marchetti, was printed with 168 deletions following a court ruling that the CIA had a right to censor the writings of former employees.

In a lawsuit filed last year under the Freedom of Information Act, lawyers for the Center for National Security Studies contended that much

of the deleted information had become public since the book was printed and that the CIA had failed to cite adequate reasons for withholding the rest.

But in a 23-page opinion, U.S. District Judge Oliver Gasch rejected the claims and wrote that the CIA should not be required to prove that classified material had not become public. "To hold to the contrary would put on the CIA the impossible burden of proving a negative," the judge wrote.

John Cary Sims, one of the attorneys for the center, said an appeal is likely.

— Scot J. Paltrow